



1077 Rec'd/PCT/PTO 16 MAR 2006

#5

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ELLIOTT, et al

Examiner: To Be Assigned

Appl. No. : 10/540,581

Art Unit: To Be Assigned

Filed: June 24, 2005

Conf. No: 6437

Title: LIGHT PROJECTING BEVERAGE DISPENSING DEVICE

Attorney Docket No.: 6.30.3233 PCT/CA-US

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Commissioner for Patents
Mail Stop PCT
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

The following materials are enclosed in order to complete the formal requirements in the filing of the above-identified application:

- (1) Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (2) Petition for Extension of Time Under 37 CFR 1.136 (a) together with the Credit Card Payment Form PTO-2038 in the amount of One Hundred and Twenty Dollars (\$120.00), representing the extension fee for a response filed within the first month;
- (3) Inventor's Declaration; and

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10/540581

Response to Notification of Missing Requirements Under
U.S.C. 371 in the United States Designated/Elected Office
Application No. 10/540,581- ELLIOTT, et al
Our Ref: 6.30.3233 PCT/CA-US

Page 2.

- (4) Processing Fee Transmittal Form PTO/SB/17 together with our cheque in the amount of Two Hundred and Eighty Dollars (\$280.00) representing additional claims fees of \$150.00 and the late declaration surcharge of \$130.00.

The Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) was mailed December 30, 2005. The "missing requirements" identified above are therefore due on or before February 28, 2006. Our response is therefore timely filed on March 15, 2006 with a one (1) month extension of time.

Favourable consideration of the application is respectfully requested.

03/21/2006 LLANDGRA 00000032 10540581

01 FC:1615 150.00 OP
02 FC:1617 130.00 OP



March 15, 2006

James W. Kerr -
Registration No. 34,082

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 280.00**Complete if Known**

Application Number	10/540,581
Filing Date	12/22/2003
First Named Inventor	ELLIOTT, Doug
Examiner Name	N/A
Art Unit	N/A
Attorney Docket No.	6.30.3233 PCT/CA-US

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
23	- 20 or HP = 3	x \$50.00 =	\$150.00			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
	- 3 or HP =	x	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	

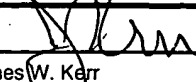
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Surcharge

130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 34,082	Telephone 519-667-7526
Name (Print/Type)	James W. Kerr	Date March 15, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,581	Doug Elliott	6.30.3233 PCT/ CA-US

INTERNATIONAL APPLICATION NO.

PCT/CA03/01997

I.A. FILING DATE	PRIORITY DATE
12/22/2003	12/24/2002

James W Kerr
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 London, ON N6B 2H8
 CANADA

CONFIRMATION NO. 6437

371 FORMALITIES LETTER



OC000000017736734

Date Mailed: 12/30/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/24/2005
- Copy of the International Search Report filed on 06/24/2005
- Copy of references cited in ISR filed on 06/24/2005
- U.S. Basic National Fees filed on 06/24/2005
- Priority Documents filed on 06/24/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$150** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$280** for a Large Entity:

JAN 24 2006

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 150
 - \$150 for 3 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

FEB 28/16
CD

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,581	PCT/CA03/01997	6.30.3233 PCT/ CA-US